

# Draft Local Planning Policy

Exemptions from Requiring Development Approval

*Public Advertising 20 March – 17 April 2026*

## Exemptions from Requiring Development Approval

<b>Responsible Directorate</b>	Place and Community
<b>Responsible Service Area</b>	Community Planning
<b>Resolution</b>	
<b>Procedure Ref</b>	N/A

### 1. Purpose

To exempt certain works from requiring a development approval where the works will not have an adverse impact on the streetscape or adjoining properties.

### 2. Scope

This Policy outlines development that is exempt from requiring development approval in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 61(1)(Table Item 20) and Clause 61(2)(g).

These are additional to the exemptions from requiring development approval contained in the Shire's Local Planning Scheme No. 4 (LPS4), the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations), Local Development Plans (LDP) and other Shire Local Planning Policies (LPP).

This policy applies to all development on land within the Shire of Mundaring where Local Planning Scheme No. 4 applies. This Policy does not exempt development from obtaining other approvals and compliance with relevant local laws, statutes and policies such as building and health permits.

### 3. Objectives

- a. To detail the development types which are exempt from development approval within the Shire of Mundaring, which are in addition to the exemptions contained in the LPS Regulations, LPS4, LDPs and Shire LPPs.
- b. To detail the specific circumstances and requirements that must be met in order for specific types of development to qualify for an exemption from development approval.

### 4. Definitions

All words and expressions used in this local planning policy have the same meaning as they have:

- a. in the Planning and Development Act 2005 (the Act); or
- b. if they are not defined in the Act
  - i. in the Shire's Local Planning Scheme No.4 (LPS4); or

- ii. in the Heritage Act 2018 of Western Australia; or
- iii. in the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations).

## 5. Policy

Work(s) at a place which is:

- a. not affected by the *Heritage Act 2018*; and
- b. not listed on the Shire of Mundaring Heritage List; and
- c. not required to be referred by the Metropolitan Region Scheme Instrument of Delegation prior to determination

do not require development approval if the work(s) meet all of the conditions specified in the following table:

	<b>Works</b>	<b>Conditions</b>
1	The construction of, or alterations or additions to, any building or structure where the Residential Design Codes do not apply.	<ul style="list-style-type: none"> <li>(a) The proposed works are not already exempt from requiring development approval under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and/or Local Planning Scheme No.4 and/or a different Shire Local Planning Policy; and</li> <li>(b) The proposed work(s) is not specified under the Shire's Local Planning Scheme No.4 as requiring development approval; and</li> <li>(c) The work(s) comply with all applicable local development plan, precinct plan, activity centre plan, and State and Local Planning Policy requirements; and</li> <li>(d) Under the Shire's Local Planning Scheme No.4, the work(s) complies with all applicable: <ul style="list-style-type: none"> <li>i. General development requirements (Part 5 of LPS4); and</li> <li>ii. Special Control Area requirements (Part 6 of LPS4); and</li> <li>iii. Conditions specified for Additional Uses, Restricted Uses and Special Use Zones (Schedules 2, 3 and 4 of LPS4); and</li> </ul> </li> <li>(e) The building is not used for, or in conjunction with, a non-conforming use; and</li> <li>(f) The site is not a heritage-protected place.</li> </ul>

## 6. Related Legislation

- *Planning and Development Act 2005*
- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Shire of Mundaring Local Planning Scheme No.4
- Residential Design Codes